

REMARKS

By the present Amendment, minor revisions have been made throughout the specification, claims 1, 4, 7-10, 12 and 14 (the claims directed to the elected subject matter) have been canceled without prejudice or disclaimer and new claims 21-31 have been added. The new claims define the elected aspect of the invention with greater precision by reciting the photosensitive layer as comprising a polyurethane resin binder which is a polyurethane resin obtained by a reaction of a compound comprising an aliphatic cyclic structure and two groups selected from carboxyl, hydroxyl and -NHR¹ groups (with R¹ being defined), the compound being represented by formula (I) with a diisocyanate compound. It will be noted that formula (I) was formerly recited in claim 8 and illustrative compounds within formula (I) are set forth in the passage beginning on page 14 of the specification.

The description in the specification and the illustrative compounds also provide appropriate support for the new dependent claims. In addition, applicant notes that the substance of new claim 24 is described on page 13, lines 19-21, new claim 25 is described on page 10, lines 3-7, new claims 26 and 30 are variations of original claim 4 (but without the heat polymerization initiator), new claims 27 and 28 follow original claims 12 and 14, new claim 29 defines the IR absorbing agent as described on page 61 of the specification and new claim 31 described onium salts that are set forth at the bottom of page 67.

The claims now of record define the elective subject matter in a manner which is neither disclosed nor suggested by the prior art. As noted above, new independent claim 21 includes the recitation of a photosensitive layer which comprises a polyurethane resin

binder which is a polyurethane resin obtained by a reaction of a compound comprising a defined aliphatic cyclic structure of formula (I) with a diisocyanate compound. None of the documents relied on in the Official Action provide this defined polyurethane resin binder even if one could selectively rely on the portions of the various documents set forth in the Action. In particular, published European Patent Application No. 949540 and particularly polyurethane resin (96) does not meet the defined structure of claimed formula (I). This is also true with respect to the other materials set forth in the document, such as resin (53) on page 46 which does not meet the recited formula containing the recited carboxyl and "X" groups. Moreover, the document would not lead to an appreciation of the significant advantages, such as good printing durability (see the paragraph bridging pages 162 and 163), which the present invention can provide. Hence, the claims now of record are believed to be patentable over this cited European document.

Aoai et al., U.S. Patent No. 4,877,711, and U.S. Patent No. 4,950,582, also do not disclose or suggest the photosensitive lithographic printing plate defined in the claims of record. None of the various resins described in the '582 and '711 patents referred to on page 3 of the Action meet the defined polyurethane resin which is prepared from the compound represented by formula (I) now recited in new independent claim 21. Indeed, the '582 patent does not disclose a polyurethane resin containing an alicyclic structure directly or indirectly having a carboxyl group as a substituent. Instead, the '582 patent uses an n-sulphonyl amide group which makes the resin soluble in aqueous alkali. Thus, the '711 and '582 patents also do not adversely affect the patentability of the invention as defined in the claims now of record.


For all of the reasons set forth above, applicant respectfully submits that the claims now of record define subject matter which is neither disclosed nor suggested by the prior art and therefore request reconsideration and allowance of the present application.

As an additional matter, applicant is hereby submitting the certified copies of the Japanese priority documents and applicant requests acknowledgment of the documents in the next Action.

Should the Examiner wish to discuss any aspect of the present application, he is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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